

# Weber Declaration

## Exhibit 6

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**From:** Christopher Butler on behalf of Christopher Butler <[REDACTED]@archive.org>  
**To:** Dye, Skip  
**Sent:** 8/21/2014 8:53:29 PM  
**Subject:** Re: lending ebooks

Skip,

We've been disabling lending access to our list of items with matching ISBN metadata that also have either an Ebook ISBN or "Y" in the "Ebook Eligible" column on your spreadsheet. I will confirm when this has been completed.

We have taken an Ebook ISBN or affirmative mark in the "Ebook Eligible" column as your confirmation that Penguin Random House owns the digital rights to that title. If this is not the case, please let me know. We are still reviewing the other books.

Openlibrary.org has listings that point to Internet Archive items, and these are all hosted on archive.org. As you may know, books are a small minority of the things on archive.org. There are enormous amounts of user items of various media types on archive.org, but these user items are not included in Open Library's lending collection. If we are alerted to uploads that break our Terms of Use, we take them down.

If you would like to have the call next week, I'm available at your Wednesday time. We'd look forward to seeing how we can move toward discussion of rebuilding and expanding the collection by buying ebooks.

- Chris

On 8/21/14 1:31 PM, Dye, Skip wrote:  
[Thank you.](#)

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**From:** Chris Butler [[mailto:\[REDACTED\]@archive.org](mailto:[REDACTED]@archive.org)]  
**Sent:** Thursday, August 21, 2014 10:13 AM  
**To:** Dye, Skip  
**Subject:** Re: lending ebooks

Skip,

Thank you for your patience. We will be getting back to you today.

-Chris

On 8/18/2014 5:13 AM, Dye, Skip wrote:  
[I would like to schedule another call next week for a general update. Please let me know if Tuesday at 2:00 p.m. \(EST\) or Wednesday at 2:00 p.m. \(EST\) of next week works for you.](#)

[Skip Dye](#)

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**From:** Christopher Butler [[mailto:\[REDACTED\]@archive.org](mailto:[REDACTED]@archive.org)]  
**Sent:** Friday, August 15, 2014 8:25 PM  
**To:** Dye, Skip  
**Subject:** Re: lending ebooks

I'd like to report that we have compiled and reviewed a list of items with matching ISBNs in our meta-data. We're now working on an appropriate way to process the disablement of lending access for these items and should be able to report more about the progress of this in the coming week.

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Chris

On 8/12/14 2:49 PM, Christopher Butler wrote:  
Hi Skip,

We wanted to let you know that we're back in the office. We've done some analysis from your list based on ISBNs, have put together a candidate list of matches, and are now working on tying it back to your list. We hope to have more information for you by this Monday, August 18<sup>th</sup>.

Regarding general user uploads of texts to Internet Archive – these occur at archive.org and they are typically not included in the collections assigned lending access – those that you see available to borrow electronically at openlibrary.org. If you'd like to test out the archive.org upload process, you can establish an account at archive.org and then select "Upload" in the upper right on any page.

Sincerely,

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Chris Butler  
Office Manager  
Internet Archive



[www.archive.org](http://www.archive.org)

On 7/25/14 8:03 PM, Brewster Kahle wrote:  
Lauren and Skip,

Thank you for your note and the information. We are starting an analysis of the books. Your nicely formatted spreadsheet is very helpful.

I am especially happy that there were ebook ISBN's associated with many-- are these available for purchase by libraries? I remember your wanting to make progress on takedowns before we look to purchase books so we can lend them from our platform, but that is our goal. In fact, doing fundraising around purchasing the books could be effective and understandable to many of our patrons. I imagine most people would prefer epub to scans in most cases if the terms and delivery technology are the same.

Also, as an FYI, I will be going on vacation for 2 weeks shortly so will need to ask for your patience in dealing with this matter (we're a pretty small shop, though that's not always apparent from the outside).

Will be back to you shortly with more information.

-brewster